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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS ASSISTANCE MISSION FOR RWANDA

I. INTRODUCTION

1. The present report is submitted in pursuance of paragraph 1 of Security Council resolution 965 (1994) of 30 November 1994, in which the Council decided to extend the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) until 9 June 1995. Since the adoption of that resolution, I reported to the Council on the situation in Rwanda on 6 February (S/1995/107) and 9 April (S/1995/297), and on security in the Rwandese refugee camps on 25 January (S/1995/65) and 14 April (S/1995/304). I have also provided the Council with oral briefings on current developments in Rwanda. The present report provides an update on the situation since my progress report of 9 April, as well as recommendations regarding the role of the United Nations in Rwanda.

II. POLITICAL DEVELOPMENTS

2. Since my last report to the Security Council, a climate of relative stability has prevailed in Rwanda. The country is now largely at peace, electricity, water and communications have been partly restored, primary and secondary schools have reopened and economic and agricultural activities have resumed. The long and arduous process of recovery has begun.

3. The Government has recently taken a number of positive actions. It recently submitted to the National Assembly a list of 12 candidates from among whom the Assembly will select the 6 highest-ranking judges in the country, i.e. the President of the Supreme Court and his 5 deputies. Under the Arusha peace agreement, these judges are to be selected by the National Assembly from a list presented by the Government nominating two candidates for each post. The National Assembly has also begun discussions on a new Constitution to replace the 1992 Constitution currently in force. On 2 May, a military court also began sitting in Kigali to try the cases of 14 soldiers accused of involvement in murder and armed robbery. After preliminary internal investigations, two senior military officers involved in the Kibeho tragedy have been suspended.

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4. None the less, the situation remains tense, with no significant advances in the process of national reconciliation, grossly overcrowded prisons, arbitrary arrests, tension over property rights and the lack of an effective judicial system. The causes of Rwanda's current tensions and frustrations need to be analysed. First, the military activities and reports of arms deliveries to elements of the former Rwandese government forces in neighbouring countries are sources of serious concern for the Government. Increasingly organized incursions into Rwanda by the former Rwandese government forces have led to security alerts and the arrest of suspected sympathizers. The Government is concerned that no effective limitations are seen to be placed on military training of, and delivery of arms supplies to, elements of the former Rwandese government forces, while the arms embargo continues to apply to Rwanda.

5. The delay in bringing those responsible for the genocide to justice, both through the International Tribunal and at the national level, is another cause of deep frustration. The Rwandan Government points out that many of those responsible for the genocide continue to operate openly from abroad, despite the adoption of Security Council resolution 978 (1995) and the transmittal of lists of alleged criminals to the countries concerned. Nor has the Tribunal yet begun its work, and the national judicial system, which has the responsibility for processing most of the detainees currently in Rwandan prisons, is severely short of personnel and resources and is also dependent on international support. A third element which is stressed in Rwandan government circles is the slow delivery of the economic assistance pledged at the round table held by the United Nations Development Programme (UNDP) at Geneva on 18 and 19 January 1995. Although $634 million was pledged on that occasion, only $69 million has actually been disbursed, of which $26 million has been utilized for debt repayment. It is important that these problems be addressed.

6. The safe return of refugees has been acknowledged as a vital element in promoting stability and harmony in the country. This concept was accepted at the Nairobi Summit, at the Bujumbura Conference and in trilateral agreements between Rwanda, the Office of the United Nations High Commissioner for Refugees (UNHCR) and neighbouring countries. The sense of security and confidence that is needed to persuade refugees to return depends not only on improved conditions inside the country but also on better relations among the countries of the Great Lakes region. I continue to believe that a regional conference, which the Security Council has endorsed on a number of occasions, should be convened as soon as possible and in consultation with the Organization of African Unity (OAU), with a view to resolving the broader and interrelated issues of peace, security and stability in the region.

III. SECURITY ASPECTS

7. Since I last reported to the Council, the Government has continued to report military preparations and incursions by elements of the former regime. The number of arrests for alleged complicity in the genocide has remained high. As a result, the sense of insecurity prevailing within the communes has inhibited the repatriation of refugees. The prisons continue to be seriously overcrowded (see para. 26 below). Acrimonious criticism of the international community in general, and UNAMIR in particular, has also continued unabated and

this has encouraged an attitude of non-cooperation, even hostility, at the middle and lower levels of the Rwandan Government.

8. During the period under review, the Rwandese Patriotic Army has continued to deny UNAMIR access to parts of the country, has searched and seized UNAMIR vehicles and other equipment and has participated in anti-UNAMIR demonstrations. These activities, many of them in violation of the status-of-mission agreement, have hampered UNAMIR in the discharge of its tasks on the ground. There have been continuing difficulties over troop rotations, with UNAMIR personnel being delayed or denied entry at Kigali airport. Joint meetings between UNAMIR and the Rwandese Patriotic Army, which had been held on a fortnightly basis, have not taken place during the past three months.

9. The anniversary of last year's genocide was commemorated in a week of mourning beginning on 7 April. On that occasion, I addressed a message of sympathy to President Bizimungu. Mass rallies, speeches and demonstrations were held all over Rwanda. Some of these targeted the international community and UNAMIR in particular. The President and Vice-President assured my Special Representative that these hostile outbursts would be controlled. However, the level of cooperation with UNAMIR remains unsatisfactory.

10. The Kibeho tragedy underscored the tensions and fears that remain just beneath the surface in Rwanda. On 18 April, the Rwandan Government took action to cordon off and close the eight remaining camps for internally displaced persons in the Gikongoro region, of which Kibeho was by far the largest. The Government considered that since these camps were being used as sanctuaries by elements of the former Rwandese government forces and militia, they were a destabilizing factor and represented a security threat. Negotiations were taking place between the Government and United Nations for the voluntary closure of the camps when the decision to act was taken without notice or consultation. Seven of the camps were nevertheless closed without serious incident. However, at Kibeho an estimated 80,000 internally displaced persons attempted to break out on 22 April, after spending 5 days on a single hill without adequate space, shelter, food or sanitation. A large number of deaths occurred from firing by government forces, trampling and crushing during the stampede and machete attacks by hard-liners in the camp, who assaulted and intimidated those who wished to leave.

11. When the Rwandese Patriotic Army launched its operation, UNAMIR reacted immediately and within 24 hours took the following measures: trucks were deployed to transport internally displaced persons; 2 casualty collection posts were established by the Australian medical unit to provide emergency medical assistance; and a UNAMIR command post with communication facilities was set up to enhance communication and contact between the forces on the ground and UNAMIR headquarters. At the same time, UNAMIR engineers improved the Butare-Kibeho road to facilitate movement of convoys of internally displaced persons and humanitarian assistance. Sick and injured internally displaced persons were evacuated by UNAMIR troops to medical facilities operated by non-governmental organizations (NGOs) in Butare. This evacuation procedure was at times hindered by restrictions on movement and denial of passage to UNAMIR and relief agencies. The presence of UNAMIR troops at open relief centres, way stations and transit centres was increased. Patrols were intensified to facilitate the reception and

further evacuation of internally displaced persons from these temporary facilities to their various home communes. UNAMIR also increased its military observer presence to facilitate monitoring and enhance its escort capability.

12. From the establishment of the Rwandese Patriotic Army cordon on 18 April to the tragic events of 22 April, senior UNAMIR officials, including my Special Representative, the Force Commander and the Deputy Force Commander, visited Kibeho and the surrounding areas on several occasions to assess the situation on the ground, urge restraint and help to coordinate the activities of UNAMIR personnel and relief agencies.

13. Following the Kibeho tragedy, I immediately dispatched Mr. Aldo Ajello to Kigali as my Special Envoy to convey my concern to the Rwandan leaders and urge the Government to undertake an impartial investigation. On 27 April, the Government announced that an independent International Commission of Inquiry would be set up to investigate the circumstances and causes of the events and that the Commission would consist of representatives of Belgium, Canada, France, Germany, the Netherlands, the United Kingdom of Great Britain and Northern Ireland, the United States of America, OAU, the United Nations and the Government of Rwanda.

14. My Special Envoy visited Rwanda from 28 to 30 April. He welcomed the decision to set up the Commission of Inquiry and urged the Rwandan authorities to cooperate in the distribution of humanitarian relief at Kibeho and in the communes. He also stressed that those not suspected of contributing to the genocide be allowed to return to their homes in conditions of safety.

15. I am glad to report that my Special Envoy was assured that the Rwandan Government would cooperate fully with the Commission of Inquiry and that humanitarian agencies would be given full cooperation in providing humanitarian aid in the communes. This commitment has been fulfilled, with the result that large numbers of internally displaced persons are now in the process of resettling in their communes. After 3 weeks of persuasion through the combined efforts of UNAMIR and the Government of Rwanda, the approximately 2,500 internally displaced persons who had remained in Kibeho have also returned to their communes.

16. The Independent Commission of Inquiry has published its report (S/1995/411) and concluded that the tragedy of Kibeho was neither premeditated nor an accident that could not have been prevented. It recognized the efforts made by my Special Representative, UNAMIR, the Government of Rwanda and other organizations to keep the situation under control. It concluded that there was sufficient reliable evidence that unarmed internally displaced persons were subjected to serious human rights abuses committed by both the Rwandese Patriotic Army and armed elements in the camp. The Commission welcomed the initiative taken by the Rwandan Government to carry out an investigation at the national level. It also recommended that the international community continue encouraging and assisting Rwanda in its efforts to achieve justice, national reconciliation and reconstruction.

IV. MILITARY ASPECTS

17. As of 31 May 1995, UNAMIR's force strength stood at 5,586 troops and 317 military observers (see annex). The rotation of the Nigerian, Ethiopian and Ghanaian contingents has been completed. Parts of the Zambian and Indian contingents have also been rotated on schedule.

18. In spite of the resources diverted to cope with the internally displaced persons emergency, UNAMIR's military component continued to perform its other tasks, including the provision of security to human rights monitors, staff of the International Tribunal, United Nations agency personnel and NGOs. Because of the deteriorating security situation in Kigali and the increase in armed robberies, UNAMIR has had to make some adjustments in the deployment of formed troops in order to reinforce security in the capital. The detailed deployment of UNAMIR troops is shown on the attached map.

19. In addition to performing the tasks outlined in Security Council resolution 965 (1994), troops and military observers have continued to escort humanitarian relief convoys and to provide emergency medical assistance to Rwandan citizens at UNAMIR locations around the country and to internally displaced persons during the closure of internally displaced person camps in south-western Rwanda. UNAMIR logistic resources have been made available throughout the country, particularly to transport internally displaced persons and returning refugees. Its engineers assisted in the restoration of essential services and facilities, including the reconstruction of bridges, the repair of roads and water supply schemes. UNAMIR military observers maintain constant contact and coordination with the Government, human rights observers and United Nations agencies for the purpose of smooth and efficient movement and follow-up monitoring of resettled refugees and internally displaced persons. Support has also been provided to the Government of Rwanda for improving the administration of, and alleviating the terrible conditions in, the prisons. The presence of UNAMIR troops and military observers helps to create an atmosphere of security and confidence throughout the country.

V. CIVILIAN POLICE

20. During the reporting period, a major activity of UNAMIR's civilian police component continued to be the training of a new integrated national police force, as mandated under Security Council resolution 965 (1994). A group of 300 gendarmes and 20 instructors completed an intensive 16-week training programme on 29 April. They are expected to be deployed by the Government to gendarmerie brigades throughout the country. Arrangements had been made to start training 400 additional candidates in June over a period of four months. This was to be followed by the training of 100 instructors selected from the already trained gendarmes. However, as indicated in paragraph 56 below, the Rwandese Government has taken the position that the activities of the civilian police component should be terminated.

21. UNAMIR has also assisted the Chief of Staff of the National Gendarmerie in designing the organization and operational requirements of the new police force. A final orientation document has been completed and will serve as a basic guide

for the elaboration of formal requests to be submitted by the Government to its bilateral and multilateral partners for equipment and other logistic support for the National Gendarmerie.

22. In addition to their training tasks, the UNAMIR civilian police observers continue to maintain close liaison with local authorities in the 11 prefectures of Rwanda and to carry out monitoring and investigative activities. The observers are working closely with United Nations agencies and NGOs and are, in particular, assisting human rights monitors and UNAMIR personnel in their daily activities around the country.

23. Member States have not so far responded to the Secretariat's repeated requests for French-speaking police trainers. Out of an authorized strength of 120, only 64 police observers from 8 countries were deployed as of 31 May (see annex).

VI. HUMAN RIGHTS ASPECTS

24. The Human Rights Field Operation in Rwanda has continued its activities in the three main areas that constitute its mandate: investigations into the genocide and serious violations of international human rights and humanitarian law; monitoring of the human rights situation and promoting a climate of confidence, especially as regards the return of internally displaced persons; and technical cooperation and human rights education. As of 25 May 1995, the Field Operation had 121 members and 11 field offices located throughout the country.

25. The investigations into the genocide of 1994 continue to be an important component of the Field Operation's mandate. The reports and the extensive evidence gathered at massacre sites throughout Rwanda have been made available to the Special Rapporteur for Rwanda and to the International Tribunal. During his visit to Rwanda from 31 March to 3 April 1995, the High Commissioner for Human Rights handed over additional material to the Deputy Prosecutor. As further reports are received by the investigative teams, they are duly forwarded to the Special Rapporteur and to the International Tribunal.

26. During the period under review, the distressing conditions in Rwanda's prisons have remained a matter of serious concern. There are now approximately 42,000 detainees throughout the country, many of whom are being held in inhumane conditions. While efforts are under way to increase the capacity of the prisons, this can only be a partial solution unless detainees are brought to justice in a timely manner and according to basic international norms and standards. There are indications of a temporary lull in arrests in certain areas because of the overcrowding in the prisons. The Special Rapporteur has expressed regret that this policy was limited territorially and has suggested that it should apply generally to the whole country.

27. In its efforts to cope with the crisis arising from the forcible closure of internally displaced person camps in south-western Rwanda, the Field Operation reinforced its teams with the deployment of an additional 24 field officers to the principal affected areas of Gikongoro, Butare and Bugesera and appointed an

emergency coordinator in Butare. The Government of Rwanda and the international organizations concerned have been regularly briefed on the human rights situation in the communes of origin to which the internally displaced persons were returning. Throughout the crisis, the Field Operation encouraged the relevant government ministers to visit the affected areas. It also maintained close contacts with local authorities, with a view to improving access to villages by human rights field officers and facilitating the establishment of joint committees entrusted with the resettlement process.

28. The technical cooperation unit of the Field Operation has continued to develop its efforts to rehabilitate the justice system and rebuild civic society. Several specific projects have been initiated, in particular the sending of 50 international legal professionals to assist in the preparation of case files against those accused of having participated in the genocide. Another important effort is the provision of assistance to the Government of Rwanda to bring its legislation into closer conformity with international human rights law. The technical cooperation programme is also fostering human rights awareness in the country through the education of the military personnel, police, other government officials and the general public.

29. The Rwandan Government is considering the establishment of a national commission on human rights, as provided for under the Arusha peace agreements. Under these accords, the commission, which is composed of seven independent members serving for a three-year term, is expected to investigate human rights violations committed on Rwandan territory, including acts committed by organs or agents of the State.

VII. INTERNATIONAL TRIBUNAL FOR RWANDA

30. With the appointment of the Deputy Prosecutor of the International Tribunal for Rwanda, the process of investigating acts of genocide and other serious violations of international humanitarian law committed in Rwanda has begun. Investigations will be carried out inside and outside Rwanda, notably in other African countries, Europe and North America, covering 400 identified suspects, most of whom have sought refuge abroad. Under article 28 of the statute of the Rwanda Tribunal (see resolution 955 (1994), annex), States are under an obligation to cooperate with the International Tribunal and to comply with any of its requests, including the arrest or detention of persons and the surrender or transfer of suspects.

31. The Prosecutor's Office is currently recruiting investigators and prosecutors. In the meantime, Governments have begun to contribute the services of qualified personnel for short periods until such time as the Tribunal is fully staffed.

32. The Prosecutor's Office has been operating on the basis of a commitment authority of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) in the amount of $2.9 million, granted for the period from 1 January to 31 March 1995. The budgetary submission for the year 1995 will be presented to the General Assembly at its resumed forty-ninth session in June 1995. Pledges

and contributions to the Trust Fund for the International Tribunal currently amount to $1,034,959.

33. A United Nations mission recently visited the United Republic of Tanzania to discuss the technical and legal issues relating to the establishment of the seat of the International Tribunal at Arusha. The mission discussed the Tribunal's space requirements and negotiated headquarters and lease agreements. A report on this matter will be submitted to the Council shortly.

34. By resolution 989 (1995) of 24 April 1995, the Security Council established a list of 12 candidates for judges of the International Tribunal. On 25 May, six judges for the Trial Chambers were elected by the General Assembly. An extraordinary session of the Tribunal is scheduled for 26 June at The Hague to adopt its rules of procedure and evidence.

35. The Prosecutor for the International Tribunal, Judge Goldstone, paid his second visit to Rwanda from 18 to 20 May. He met with senior government officials and with my Special Representative and discussed practical arrangements for the functioning of the Tribunal. On 19 May, a one-day conference of donors was convened to discuss international support, especially funding, for the Tribunal. I wish to thank those Member States that have made voluntary contributions to the Trust Fund for the Tribunal and to appeal for continued and additional assistance to permit its effective operation.

VIII. HUMANITARIAN ASPECTS

36. Since my last report, the humanitarian community's efforts have been directed mainly at dealing with the consequences of the forced closure of internally displaced person camps in south-west Rwanda. The rapid and coordinated response of UNAMIR, the United Nations Rwanda Emergency Office, United Nations agencies, intergovernmental organizations, in particular the International Organization for Migration (IOM), and NGOs undoubtedly prevented greater casualties and suffering as a result of the internally displaced persons emergency. These efforts were undertaken in cooperation with several government ministries in Kigali and with the Butare and Gikongoro prefectures. Transportation assistance was provided by UNHCR, IOM, UNAMIR and NGOs to over 70,000 people; emergency medical facilities were set up to tend to the sick and wounded, mainly in Butare; way-stations and open relief centres, managed and supported by NGOs, served as first-aid points and provided food, water and other emergency items to the former occupants of internally displaced person camps.

37. Although the initial phase of the emergency has now passed, problems related to the closures remain to be solved. Initially, there were reports of former camp populations being beaten, stoned and harassed either en route to or in their home communes. Lately, following the increased presence in the home communes of UNAMIR and other international personnel, as well as intercessions by the Minister of Interior, some improvement in the assimilation of the internally displaced persons has been reported. However, the massive return of internally displaced persons, many of whom were forced to leave their possessions in the camps or were robbed on their way home, has placed heavy demands on the communes, many of which are already in fragile condition. There

is an increasingly urgent need for the international community to accelerate its rehabilitation assistance in the communes, particularly in those areas where the largest numbers of internally displaced persons have returned. In this respect, assessment teams, comprised of government officials, United Nations and NGO personnel, have visited most of the communes in the Butare prefecture to identify the pressing requirements and priority areas for intervention. In Kigali, through the Integrated Operations Centre jointly operated by the Government, the United Nations Rwanda Emergency Office, United Nations agencies, UNAMIR and NGOs, sectoral cells have been activated to ensure effective planning and coordination of rehabilitation activities.

38. Although the World Food Programme (WFP) and the International Committee of the Red Cross (ICRC) and some NGOs have begun food distribution to returning internally displaced persons and to other needy people in the communes, many people lack the means to produce food until the next agricultural season from September 1995 to January 1996. As a result, they will require food assistance, as well as seeds and tools for the next planting season. In addition to the returning internally displaced persons, other vulnerable groups will require sustained food aid for the foreseeable future. These include the "new" and "old" caseload returnees, many of whom have not yet been resettled and who therefore have no land to cultivate. Other vulnerable groups include hospital patients, orphans and unaccompanied children. During the month of May, WFP is planning to distribute 3,046 tons of cereals, 1,214 tons of pulses, 244 tons of oil and 85 tons of other food items to a total of 420,000 beneficiaries from the above-mentioned groups. Emergency non-food assistance, such as plastic sheeting, cooking pots, blankets, soap and clothing, has already been provided to former camp populations and will be continued.

39. Health facilities throughout the country need urgent rehabilitation and additional staff in order to ensure adequate delivery of health services, especially for returning internally displaced persons. Under its programmes of assistance to returnees, UNHCR is rehabilitating 8 district hospitals and 42 health centres in areas where returnees have settled in great numbers. Other health programmes include a training programme of the World Health Organization (WHO) for 20 health workers in epidemiological surveillance and epidemic control and another programme for 32 trainers elaborated by the Government, the United Nations Population Fund (UNFPA) and WHO on human immunodeficiency virus/acquired immunodeficiency syndrome prevention and safe motherhood.

40. For water and sanitation, the United Nations Children's Fund (UNICEF) is supporting the rehabilitation of the water supply system in the north-eastern part of the country, an area to which the majority of "old" caseload refugees from Uganda are returning with their herds of cattle. The construction of over 20 shallow wells in the area is under way and should be completed before the end of July to cater for the needs of over 20,000 people. In other areas of the country, approximately 150 springs will be tapped by 31 December 1995 in order to benefit some 30,000 people in three prefectures.

41. The closure of the camps has also increased the number of unaccompanied minors, many of whom were either left in the camps or found along the roads. UNICEF reports that there are nearly 2,000 unaccompanied minors, of whom

approximately 70 per cent are under the age of 5. Most are severely traumatized by their experiences and the UNICEF Trauma Unit is helping them.

42. In order to carry out projects that will enable people to have adequate access to health care, potable water, sanitation and education, as well as the means to resume agricultural activities, substantial funding from the donor community continues to be required. As I reported in April, the inadequate level of response to the consolidated inter-agency appeal for Rwanda and the subregion has hampered relief activities and the commencement of rehabilitation and reconstruction. As of 15 May, only $80 million had been pledged against a total requirement of $219 million for Rwanda. For the subregion, pledges amounted to $34 million against a total requirement of $587 million.

43. The total contributions actually received so far from government and private sources amount to $6.3 million only. Of this amount, the Netherlands has contributed more than $5.4 million for a UNDP programme to support the Government. Some resources have also been allocated specifically to the Ministry of Rehabilitation and Social Integration to facilitate emergency assistance to the communes. This includes the procurement of equipment and supplies for local administrative authorities and for the judicial system.

44. A number of events have raised concern about respect for the principles related to protection and treatment of refugees and internally displaced persons. At the end of March, the Tanzanian authorities closed their border with Burundi to thousands of asylum-seekers, including many Rwandan refugees who were fleeing camps in Burundi following disturbances in that country. There are also indications that some of the internally displaced persons fleeing the recent camp closures in Rwanda were not allowed into Burundi or were returned against their will to Rwanda after entering the country. The forcible closure of internally displaced person camps could create further obstacles to the voluntary return of refugees from neighbouring countries, as evidenced by the recent decrease in the number of organized voluntary repatriations from camps in Zaire.

45. The Rwandan Government's decision to close the border with Zaire to all traffic, including food destined to refugee camps in the Bukavu area of Zaire, has further complicated an already difficult supply and logistics chain. In both Goma and Bukavu, food distribution has dropped by as much as 50 per cent of normal requirements.

46. As regards security in the refugee camps in Zaire, I am pleased to report that the deployment of Zaire's security contingent has now reached its full strength of 1,500 men and that, as a result, security conditions in the camps have greatly improved. At the same time, discussions are continuing with the Zairian authorities on the possibility of relocating those camps that are situated too close to the border.

47. In this connection, I support the Security Council's recent invitation to States to deliver on their earlier financial commitments and to increase their assistance for humanitarian activities in Rwanda, as well as its call to all Governments in the region to maintain open borders for this purpose. I would also like to stress the Security Council's request to the Government of Rwanda

to facilitate the delivery and distribution of humanitarian assistance to refugees and displaced persons in conformity with international principles (S/PRST/1995/22).

IX. ADMINISTRATIVE AND FINANCIAL ASPECTS

48. The General Assembly, by its decision of 6 April 1995, authorized me to enter into commitments up to $19,342,000 gross ($18,989,000 net) for the period from 10 June to 9 July 1995, subject to the extension of the mandate of UNAMIR beyond 9 June 1995. Should the Council decide to extend the mandate of UNAMIR, I shall request the General Assembly at its resumed forty-ninth session to make adequate financial provision for the operation of the Mission.

49. As of 17 May 1995, unpaid assessments to the UNAMIR Special Account amounted to $70.1 million, and the total amount of outstanding assessed contributions for all peace-keeping operations amounted to $1,854.1 million.

X. CONCLUSIONS AND RECOMMENDATIONS

50. The Rwandan people have endured the most horrific and unspeakable suffering. The political goal of the United Nations in Rwanda is to assist them to achieve peace, stability and reconstruction in accordance with the principles of the Arusha peace agreements. This goal can be attained only if those who are guilty of genocide are brought to trial and if the leaders and people of Rwanda have the political will to achieve national reconciliation through mutual respect and understanding. The United Nations is prepared to continue its efforts to assist in this difficult process. UNAMIR has made a significant contribution to the relative stability and normalization achieved in Rwanda over the past year. However, the complex situation described in sections II and III above has led the Government of Rwanda to raise questions about the future role of this operation.

51. The current mandate of UNAMIR was designed at a time when Rwanda was in the midst of a devastating genocide and civil war. The main responsibility entrusted to UNAMIR under Security Council resolution 918 (1994) of 17 May 1994 was to contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda. The war and the genocide came to an end with the establishment of the present Government of Rwanda on 19 July 1994. Since that time, the situation has changed radically. The changes undoubtedly call for adjustments in the mandate of UNAMIR, so that its role can reflect the present situation.

52. In anticipation of the expiry of the mandate of UNAMIR on 9 June 1995, my Special Representative has engaged in extensive consultations with the Government of Rwanda, with a view to achieving a common understanding of the role that the United Nations could usefully play in the future. At the outset, the Government made it clear that it would insist on a sharp reduction both in the scope of UNAMIR's tasks and in troop levels.

53. During these consultations, my Special Representative discussed with the Government a new mandate comprising tasks which, in my judgement, should be performed by UNAMIR during the next six months. These tasks would continue to be carried out with full respect for the Government's sovereign authority. They would entail shifting the focus of UNAMIR's mandate from a peace-keeping to a confidence-building role. On this basis, UNAMIR would undertake the following tasks:

(a) Tasks specifically required to sustain a United Nations peace-keeping presence in Rwanda, mainly in Kigali. These would include the protection of United Nations premises, protection of International Tribunal personnel and, as required, of United Nations agencies and NGOs, including a ready reserve and the necessary command, control and support elements;

(b) Tasks aimed at assisting the Government of Rwanda in confidence-building and in the promotion of a climate conducive to stability and to the return of refugees and displaced persons. These would entail monitoring throughout the country with military/police observers, as a complement to human rights monitors; helping in the distribution of humanitarian assistance; facilitating the return and reintegration of refugees in cities and communes; providing assistance and expertise in engineering, logistics, medical care and demining; and stationing a limited reserve of formed troops in certain provinces. These troops would not undertake any patrolling duties but would assist in the performance of the above tasks, as required.

54. Following consultations with my Special Representative and the Force Commander, it is estimated that, in order to carry out these functions, UNAMIR would require approximately 2,330 formed troops, 320 military observers and 65 civilian police. This would constitute a substantial reduction from the present authorized strength of 5,500 troops, 320 military observers and 120 civilian police. The reduction would begin as soon as possible and be implemented gradually over the next two to three months, on the understanding that, after 9 June 1995, the infantry battalions currently deployed in the provinces would change over from their present tasks to those outlined above.

55. The proposed force would be structured along the following lines: an infantry battalion of 800 all ranks, based in Kigali and reinforced by essential support units such as headquarters staff (50), communications (50), engineering (200), medical (100), logistics (100) and military police (30). In addition, one independent infantry company would be deployed in each of the present UNAMIR sectors of operation. These 5 independent companies, totalling about 1,000 troops, would include elements from the support units or specialists, as required for specific humanitarian tasks.

56. However, during the consultations held with my Special Representative, the Rwandan Government proposed a different and more limited role for UNAMIR, arguing that the present conditions on the ground called for a drastic reduction in the number of United Nations troops. It took the position that most of the peace-keeping functions heretofore discharged by UNAMIR had become redundant. The concept of promoting security and confidence through the presence of UNAMIR could no longer be accepted, since the Government had assumed responsibility for national security throughout the country. The protection of humanitarian

convoys was also the responsibility of the Government and UNAMIR's role should be a monitoring one only. The issue of border monitoring was discussed, but the Government considered that there was no need for UNAMIR to play such a role in Rwanda. In addition, it expressed the view that the present training programme carried out by the UNAMIR civilian police component should be replaced by bilateral arrangements and could continue only until those arrangements were in place.

57. In short, the Rwandan Government has proposed that UNAMIR should be reduced to a maximum of 1,800 formed troops, to be deployed in Kigali as well as in the provinces. UNAMIR's mandate would be extended for six months, on the understanding that there would be no further extension and that steps to reduce UNAMIR troops outside Kigali should commence immediately.

58. An analysis of this proposal has indicated that, with a total of 1,800 formed troops, plus 65 civilian police, UNAMIR would not have the strength to perform adequately the tasks described in paragraph 53 above. While I understand the position of the Government of Rwanda, I am convinced that UNAMIR remains an essential component of the international community's efforts to assist the Government and people of Rwanda and that it must have the capability to discharge its functions effectively. At the same time, since UNAMIR is a peace-keeping operation established under Chapter VI of the Charter, its continued presence in Rwanda depends on the consent and active cooperation of the Government. I therefore intend to continue consultations with the Government of Rwanda and shall report orally to the Council on the outcome of these consultations before the Council decides on the future mandate of UNAMIR.

59. Subject to that report, I recommend that the Security Council renew the mandate of UNAMIR, adjusted to accommodate the tasks outlined in paragraph 53 above, for a period of six months, ending on 9 December 1995. During that period, my Special Representative would continue to exercise his good offices to facilitate, in consultation with the Government of Rwanda, the process of national reconciliation, in accordance with the principles set out in the Arusha peace agreements. UNAMIR, in cooperation with UNDP, United Nations agencies and NGOs, would also assist in the implementation of an integrated multifunctional plan of action in the field of rehabilitation, resettlement, repair of infrastructure and the revival of justice. The funds committed to such projects could be channelled by donor countries through the Rwanda Trust Fund, in order to allow for a prompt, flexible and efficient utilization of resources.

60. In accordance with the Nairobi Summit Declaration of January 1995, the Bujumbura Declaration of February 1995 and formal agreements signed by Rwanda, a major effort needs to be made to persuade the two million Rwandan refugees to return to their homes in safety and dignity. This should be without prejudice to effective action, under due process of law, against criminals accused of genocide, in accordance with Security Council resolution 978 (1995). In this connection, immediate steps should be taken by the international community to support the earliest activation of the International Tribunal and the rehabilitation of the Rwandan national system of justice. At the same time, effective measures should be taken to ensure that Rwandan nationals currently in neighbouring countries are not allowed to receive arms supplies or to undertake military activities aimed at destabilizing Rwanda. I am, in particular,

concerned that, unless more vigorous action is taken to prevent such activities, there could be a serious escalation in cross border clashes that would add a new dimension to the tragedy of Rwanda and lead to unpredictable consequences.

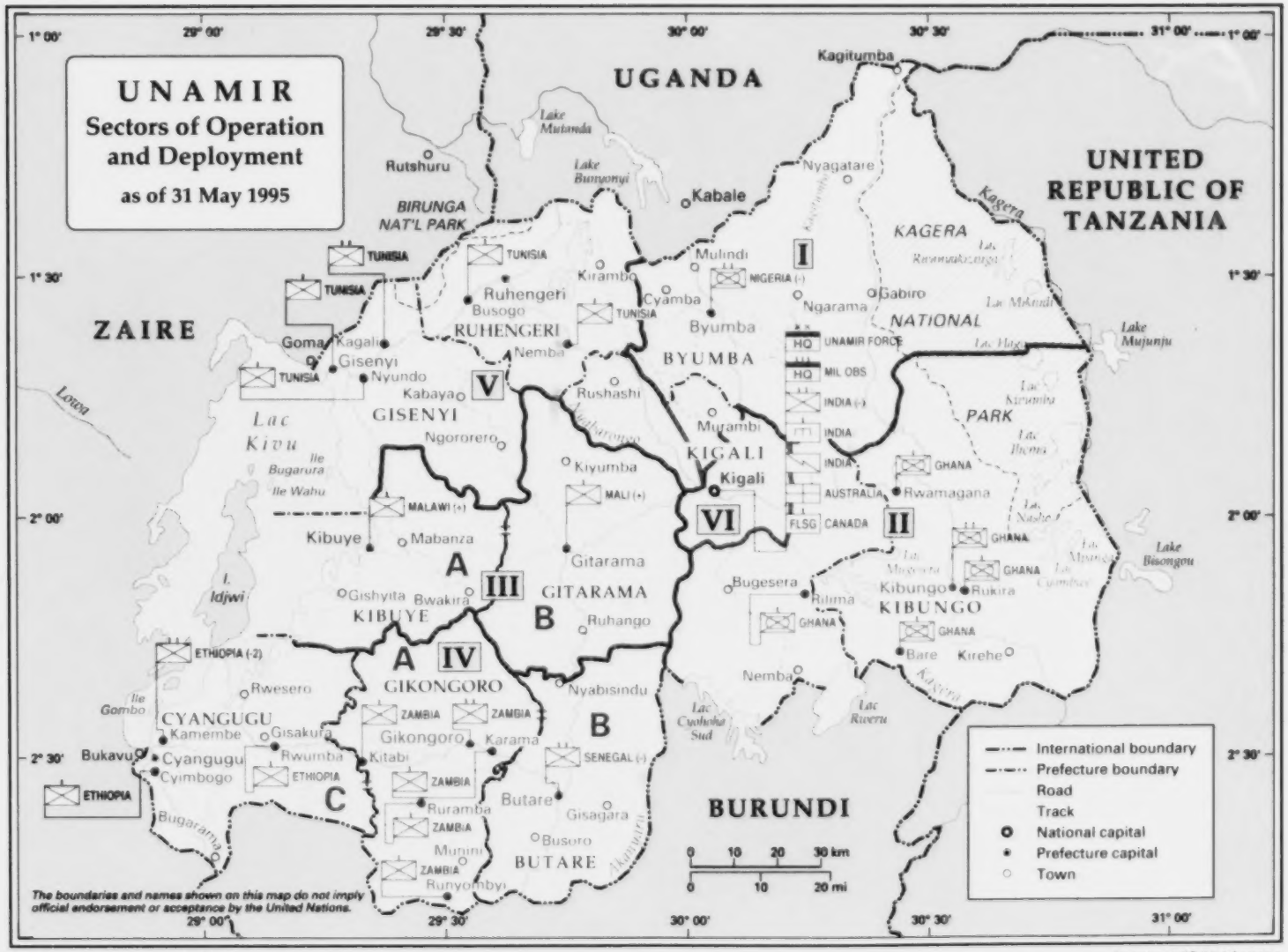
61. The implementation of the steps mentioned in paragraphs 59 and 60 above will contribute to peace and security in Rwanda. However, much more needs to be done. International assistance to Rwanda needs to be accelerated if the vital institutions in the country are to have any chance of recovering. It is essential that we find ways to improve the procedures that have delayed the disbursement of assistance to resolve situations that require priority attention. With respect to the long-term solution of the refugee and related problems in the Great Lakes States, I intend to appoint a special envoy to carry out consultations with countries concerned, as well as OAU, on the preparation and convening of the Regional Conference on Security, Stability and Development at the earliest possible time.

62. In concluding this report, I wish to express my appreciation to my Special Representative, Mr. Shaharyar Khan, to the Force Commander, Major General Guy Tousignant, and to all UNAMIR military and civilian personnel for their outstanding contribution to the United Nations and to the cause of peace and stability in Rwanda.

Annex

Composition of UNAMIR as of 31 May 1995

Country	Military personnel			Civilian police	Grand total
	Troops	Observers	Total		
Argentina		1	1		1
Australia	302		302		302
Austria		15	15		15
Bangladesh	1	36	37		37
Canada	105	19	124		124
Chad	2		2		2
Congo		8	8		8
Djibouti			0	7	7
Ethiopia	834		834		834
Fiji		1	1		1
Germany			0	9	9
Ghana	784	35	819	10	829
Guinea		17	17		17
Guinea-Bissau		2	2	5	7
India	934	20	954		954
Jordan			0	3	3
Malawi	183	14	197		197
Mali	198	31	229	10	239
Nigeria	339	17	356	10	366
Poland		2	2		2
Russian Federation		17	17		17
Senegal	238	2	240		240
Tunisia	834	10	844		844
United Kingdom of Great Britain and Northern Ireland	1		1		1
Uruguay		26	26		26
Zambia	831	20	851	10	861
Zimbabwe		24	24		24
Total	5 586	317	5 903	64	5 967



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